IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*
State Engineer,

       Plaintiff,

       vs.

ROMAN ARAGON, *et al.,*

       Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutheron & Plaza Blanca,
Cañones Creek, Village of Chama

MOTION TO SET ASIDE ENTRY OF DEFAULT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and

pursuant to Fed. R. Civ. P. 55(c) respectfully requests the Court to set aside the entry of default

for the following defendants in the Rito de Tierra Amarilla and the Rio Brazos subsections of

Section 7:

Rio Arriba County	CHTA-003-0013A
	CHTA-003-0014A
Chris R. Martinez	CHRB-004-0004B
Roseann Gallegos	CHRB-004-0004C

As grounds therefore the Plaintiff states:

       1.   The Clerk's Certificate of Default with respect to the above-named defendants

was entered on April 30, 2007 (Docket No. 8635).

       2.   The above-named defendants recently contacted the State and have signed the

State's proposed Consent Orders in the above subfiles and have delivered the approved orders to

the State.

3.   Good cause exists to set aside the entry of default with respect to the defendants

named above.

WHEREFORE, the Plaintiff State of New Mexico *ex rel.* State Engineer requests the

Court to set aside the entry of default for defendants Rio Arriba County, Chris R. Martinez, and

Roseann Gallegos.

DATED: May 11, 2007

Respectfully submitted,

     /s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of the State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11th day of May, 2007, I filed the foregoing electronically through the CM/ECF system and served the following non-CM/ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Chris R. Martinez
P.O. Box 271
Tierra Amarilla, NM 87575

Roseann Gallegos
P.O. Box 859
Santa Cruz, NM 87567

     /s/ Ed Newville
Ed Newville

2